

STATE OF MICHIGAN
COURT OF APPEALS

In re WILLIAMS, Minors.

TYRUS LARON WILLIAMS, JR.,
ENCHANTRESS WILLIAMS, and LARON D.
WILLIAMS,

Appellees,

and

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MARTHA WILLIAMS,

Respondent-Appellant.

UNPUBLISHED
March 13, 2008

No. 280784
Saginaw Circuit Court
Family Division
LC No. 06-030453-NA

In re AMARION DE'SHAWN WILLIAMS, Minor.

AMARION DE'SHAWN WILLIAMS,

Appellee,

and

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

No. 280785
Saginaw Circuit Court

MARTHA WILLIAMS,

Family Division
LC No. 06-030454-NA

Respondent-Appellant.

Before: Saad, C.J., and Murphy and Donofrio, JJ.

PER CURIAM.

Respondent appeals as of right from the trial court's order terminating her parental rights to the minor children.¹ Because clear and convincing evidence established at least one of the statutory grounds for termination, and termination of respondent's parental rights was not clearly contrary to the best interest of the children, we affirm.

The trial court did not clearly err in finding that statutory grounds for termination pursuant to MCL 712A.19b(3)(b)(i) and (j) were established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 353-354, 356-357; 612 NW2d 407 (2000). Respondent pleaded guilty and was incarcerated for third-degree child abuse based on the incident that initially brought the children under petitioner's care. The court reports from petitioner noted that respondent blamed the eldest child for the removal of the children, saw herself as the victim, and continuously failed to take responsibility for her actions or discuss other incidents of abuse mentioned by the children and family. Her psychological evaluation, completed after her incarceration, and counseling sessions showed the same lack of insight. The trial court found that respondent's own testimony reflected her tendency to blame all problems on others. That respondent participated in certain programs was not adequate. Sufficient benefit from the services provided is required, *In re Gazella*, 264 Mich App 668; 692 NW2d 708 (2005), and the evidence showed that respondent had not achieved such a level of benefit as of the date of the termination hearing.

In making its ruling, the trial court explicitly stated "that despite any positive testimony about what she's done up to this point, that this lady is still minimizing, is still driven by pretty much external factors, and I have no assurance that these children are not at risk in her care." While there was testimony that respondent might make progress, it would take "nothing less than a year" of additional therapy. Given respondent's criminal conviction for abusing her children, her persistent externalization of fault, the guardian ad litem's persistent concern, and the court reports evidencing continued lack of sufficient benefit from services, there is no clear error.

Further, the fact that there was no evidence respondent ever physically abused the two younger children is irrelevant. The plain language of MCL 712A.19b(3)(b)(i) allows for termination of the parental rights in the sibling of a child who has experienced physical abuse. The record supports the conclusion that there was a reasonable likelihood that the two younger

¹ The trial court also terminated the rights of the father of one of the children, but he is not a party to this appeal. The other father is deceased.

children would have suffered similar abuse if returned to respondent's care. We have previously recognized that evidence of a parent's mistreatment of some children is probative of how the parent may treat other children. *In re Youmans*, 156 Mich App 679, 689; 401 NW2d 905 (1986). Additionally, respondent continues to fail to recognize and acknowledge her own responsibility for the children being taken from her care. She possesses limited insight into the impact the abuse had on the children. And we observe that even after anger management training, respondent continues to display anger when frustrated. We conclude that it is reasonable to assume that the younger children would also be at risk if returned to her care.

We also conclude that the evidence did not clearly show that termination of respondent's parental rights was contrary to the children's best interests. MCL 712A.19b(5); *In re Trejo*, *supra* at 354. There was no evidence that the children would suffer any detriment from termination of respondent's parental rights. In fact, the record showed the opposite. The children were beginning to improve in their foster environments and it would have been contrary to their best interests to require them to wait indefinitely for respondent to make significant progress. This is especially true considering that before reunification could even be considered respondent needed an additional year's worth of counseling at a minimum. Thus, the trial court did not err in terminating respondent's parental rights to the minor children.

Affirmed.

/s/ Henry William Saad

/s/ William B. Murphy

/s/ Pat M. Donofrio